

DOCKET FILE COPY ORIGINAL

-----Original Message-----

From: Steve Shirley [mailto:sshirley@rssalesinc.com]

Sent: Friday, August 08, 2003 5:21 PM

To: Leslie Smith

Subject: TCPA

02-278

As president of R and S Sales LLC, it has come to my attention of the changes to the TCPA. The requirements of maintaining a data base of written consent for our customer base is very costly and provides no benefits to our customers. If one of our customers wishes not to receive faxes, then it is in our companies best interest not to send faxes to that customer. We currently upon any request delete that customer from our fax list. Our customers use our faxes to compare price against their current pricing and keep their cost in line with the market. If the changes to TCPA stay in effect it will raise everyone's cost. Maintaining this data base is not only costly but very non productive in our overall business. Please change TCPA.

Steve Shirley

President

R and S Sales

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-----Original Message-----

From: Chip Hanika [mailto:chip@statpharmaceuticals.com]

Sent: Friday, August 08, 2003 5:46 PM

To: Leslie Smith

Subject: New regulations regarding "fax advertisements"

02-278

Dear Leslie

I am writing you on behalf of my company to let you know of our concern with the proposed changes to the TCPA. Requiring a written consent would be cumbersome, time consuming, and create additional costs for us which would have to be passed on to our customers. This is not to mention their additional costs to be passed on to their customers. By forcing the customer to sign a written statement to allow us to fax material to them when we are already doing so would seem ludicrous on the face of it. Not to mention that telefax is the preferred form of communication for many of our customers. In the case of new customers, business transactions would be severely curtailed until such time as a "written consent" communicated some way other than a fax had been sent back and forth. Please do not create this added burden for all businesses.

Thank you,

STAT.PHARMACEUTICALS

Chip Hanika

Purchasing Agent

Phone (619) 441-9570

Fax (619) 590-3410

Email chip@statpharmaceuticals.com

www.fluvaccine.com

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02-278

-----Original Message-----

From: Matthew Cohn [mailto:MCohn@asicentral.com]**Sent:** Friday, August 08, 2003 4:22 PM**To:** Leslie Smith**Subject:** New Fax regulations

I would like to register a complaint about the new fax regulations. It is going to severely interrupt the way we do business with our clients.

We run tradeshow, and as part of our shows, we fax our clients updates about events at the shows. These clients pay for a package of services which includes attendance at the shows as well as some of the events (Keynote Breakfasts). Under this new regulation, I can't even fax a client who has already registered for the show to remind them that they can get tickets to one of the special events. Yes, I know we could if we have their OK, but we have tens of thousands of people who attend the shows, and if we had known a year ago, we could deal with this - but not with a month or two notice. Even a year in advance this is an incredibly poor regulation which will only result in harming American business.

The issue is even worse related to our exhibitors. We already have thousands of contracts signed for next year's shows. Those exhibitors need to get faxes from our service contractors so they know how to get the freight to the show, where to order tables, how to order electrical services. If they don't order them in advance, they will pay a LOT more to order these products on site. Under the new regulations we can't give the list of our exhibitors to our service contractors. Yes, we can update our contracts to include the OK to have these companies contact the clients. But all the contracts are already signed. Plus, we have different vendors in each city so this is a BIG list. And, the service contractors can change after the client contract is signed - so what do we do then???

PLEASE go back to the preexisting relationship exception. When our clients ask us not to fax them, we stop immediately. You are punishing the majority because of a few abusers - why not just go after the abusers!!!

Matthew Cohn

The ASI Show'

MCohn@asicentral.com

1-215-953-3664

Mark your calendar for the 2004 ASI Shows:

Orlando - January 3-5 (Exhibits January 4 & 5)

Dallas - January 28-30 (Exhibits January 29 & 30)

Las Vegas - March 14-16 (Exhibits March 15 & 16)

Chicago - July 13-15 (Exhibits July 14 & 15)

Visit The ASI Show Website at <http://www.asishow.com>

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Director of the Secretary

Noted - record 3

-----Original Message-----

From: Gene Alley [mailto:gene@statpharmaceuticals.com]

Sent: Friday, August 08, 2003 3:59 PM

To: Leslie Smith

Subject: impending fax legislation

02-278

Dear Leslie

I write on behalf of my company to let you know of our concern with the proposed changes in the Telephone Consumer Protection Act of 1991 (TCPA), requiring a customer's prior written consent before receiving an unsolicited fax containing advertising. Our company has found this method of direct communication to be of paramount importance to prospective business as well as our existing customer base of hospital pharmacies. We are cognizant of our customer's right to decline the choice to receive our broadcast fax if they so choose and add to every fax this statement, *"If you wish to stop receiving our fax, please call our customer service center TOLL FREE and we will graciously remove your name from our list."* This method of giving the customer the choice to have their name removed from our database is as simple as it is effective and works without having to implement the sledgehammer approach that is now being proposed by the FCC.

Sincerely,

STAT.PHARMACEUTICALS

Gene Alley

President

Phone: (619) 590-3407

Fax: (619) 590-3410

Email: gene@statpharmaceuticals.com

www.FluVaccine.com

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-----Original Message-----

From: Griffin, Ruth [mailto:RGriffin@blessinghospital.com]

Sent: Friday, August 08, 2003 3:30 PM

To: Leslie Smith

Subject: Faxed specials to customers

02-278

Dear Ms. Smith,

I write on behalf of my company, Denman Medical Equipment and Supply, in Quincy, IL. I have a concern with the proposed changes to the TCPA. The requirement of a written consent would create additional costs for our customer base and my company to conduct business and would have long term cost implications. By forcing our customer base to sign a written statement to allow us to do fax material that they now have come to expect as a preferred way of doing business, we would be taking away a communication alternative that is preferred by our customers. I hope whoever is responsible will reconsider and not allow this to pass.

Thank you for your time.

Ruth Griffin

Ruth E. Griffin

Director, Denman Medical

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Handwritten signature and date: 8/11/03

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-----Original Message-----

From: Al Chamberlain [mailto:ACHAMBE@sharedomaha.com]

Sent: Friday, August 08, 2003 3:13 PM

To: Leslie Smith

Subject: TCPA Change

02-278

I am sending this e-mail on behalf of my company, Shared Service Systems, to let you know of our concern with the proposed changes to the TCPA. The requirement of a written consent would create additional costs for our customer base and my company to conduct business and would have long term cost implications. By forcing our customer base to sign a written statement to allow us to do fax material that they now have come to expect as a preferred way of doing business, we would be taking away a communication alternative that is preferred by our customers.

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02-278-2

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-----Original Message-----

From: Akhil Agrawal [mailto:akhil@american-depot.com]

Sent: Friday, August 08, 2003 3:52 PM

To: Leshe Smith

Subject: Proposed Changes to the TCPA

02-278

Dear Ms. Smith

I write on behalf of my company, American Medical Depot, to let you know of our concern with the proposed changes to the TCPA.

The requirement of a written consent would create additional costs for our customer base and my company to conduct business and would have long term cost implications. By forcing our customer base to sign a written statement to allow us to do fax material that they now have come to expect as a preferred way of doing business, we would be taking away a communication alternative that is preferred by our customers.

My fear is that in our government's zealotry to protect against unwarranted calls and fax solicitations, the government is going to interfere in a very legitimate means of communication between our company's employees and our customers. There is no legitimate need for the government to impose regulations between trading partners that are already doing business with one another. If one partner feels that the information they are receiving is unwarranted or a nuisance, they are welcome to opt out of the relationship on their own.

I would appreciate a response from your office acknowledging our comments have been registered and will be duly considered in your office's decision making process.

Sincerely,

Akhil K. Agrawal
President
American Medical Depot
4380 NW 135th Street
Opa Locka, Florida 33054-4418

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2